



COPY OF PAPERS  
ORIGINAL FILED

S/N 09/298,003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ALLEN ET AL.	Examiner:	R. SHAFER
Serial No.:	09/298,003	Group Art Unit:	2872
Filed:	APRIL 22, 1999	Docket No.:	7780.453US01
Title:	OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS		

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 004049260 US

Date of Deposit: June 10, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, D.C. 20231.

By:

Name:

John J. Jenkins

WRITTEN CONSENT OF THE ASSIGNEE AND CERTIFICATE  
UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

3M Innovative Properties Company, a corporation organized and existing under the laws of the State of Delaware, having a place of business at 3M Center, St. Paul, MN 55144, hereby consents to the Request to Correct Inventorship filed herewith, of the above-identified patent application, adding John Wheatley as an inventor.

3M Innovative Properties Company certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above. The assignment of eight of the inventors was recorded in the Patent and Trademark Office on October 12, 1999, at Reel 010302, Frame 0310. A copy of the assignment of the ninth inventor, John A. Wheatley, is attached hereto.

TECHNOLOGY CENTER 2800

JUN 28 2002

RECEIVED

The undersigned Assistant Secretary is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: May 29, 2002

By: Carolyn A. Bates  
Name: Carolyn Bates  
Title: Assistant Secretary,  
3M Innovative Properties Company



**ASSIGNMENT**

WHEREAS, we, Richard C. Allen, residing at 1013 Sibley Memorial Highway, Lilydale, Minnesota 55118, Sanford Cobb, Jr., residing at 2170 Itasca Avenue South, St. Marys Point, Minnesota 55043, Elisa M. Cross, residing at 1420 Donegal Drive, Woodbury, Minnesota 55125, Susan L. Kent, residing at 26050 Oak Leaf Trail, Shorewood, Minnesota 55331, Timothy J. Nevitt, residing at 28519 Flower Valley Trail, Red Wing, Minnesota 55066-5644, Andrew J. Ouderkirk, residing at 2996 Leyland View, Woodbury, Minnesota 55125, Ronald J. Tabar, residing at 1791 Highland Parkway, St. Paul, Minnesota 55116, David L. Wortman, residing at 8920 80th Street North, Stillwater, Minnesota 55082, and John A. Wheatley, residing at 8749 Lake Jane Trail, Lake Elmo, Minnesota 55042, made certain new and useful inventions and improvements for which we filed an application for Letters Patent of the United States on April 22, 1999, application Serial No. 09/298,003 which is entitled OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS.

AND WHEREAS, 3M Innovative Properties Company, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 3M Center, St. Paul, Minnesota 55144 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

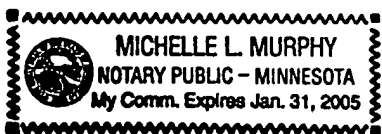
IN TESTIMONY WHEREOF, I have hereunto set my hand this 10 day of May, 2002.

Richard C Allen  
Richard C. Allen

STATE OF Minnesota )  
 ) ss.  
COUNTY OF Ramsey )

On this 10<sup>th</sup> day of May, 2002, before me personally appeared Richard C. Allen to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]



Michelle L. Murphy  
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Sanford Cobb, Jr.

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Sanford Cobb, Jr. to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

\_\_\_\_\_  
Notary Public

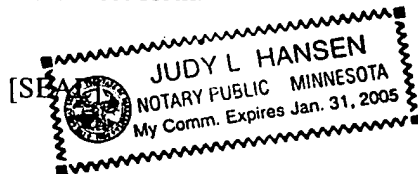
IN TESTIMONY WHEREOF, I have hereunto set my hand this 2nd day of

May, 2002.

Elisa M. Cross  
Elisa M. Cross

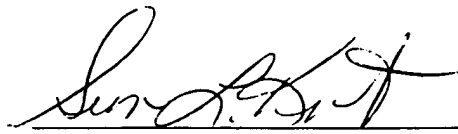
STATE OF Minnesota )  
 ) ss.  
COUNTY OF Ramsey )

On this 2nd day of May, 2002, before me personally appeared Elisa M. Cross to me known and known to me to be the person described in and who executed the foregoing instrument, and she duly acknowledged to me that she executed the same for the uses and purposes therein set forth.



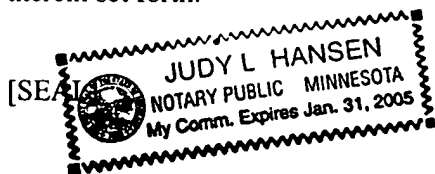
Judy L. Hansen  
Notary Public


IN TESTIMONY WHEREOF, I have hereunto set my hand this 16th day of May, 2002.

  
Susan L. Kent

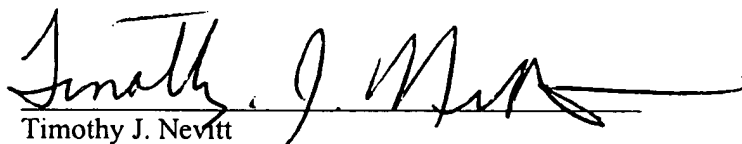
STATE OF Minnesota )  
 ) ss.  
COUNTY OF Ramsey )

On this 16th day of May, 2002, before me personally appeared Susan L. Kent to me known and known to me to be the person described in and who executed the foregoing instrument, and she duly acknowledged to me that she executed the same for the uses and purposes therein set forth.



  
Notary Public


IN TESTIMONY WHEREOF, I have hereunto set my hand this 22 day of May, 2002.

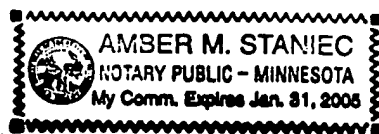
  
Timothy J. Nevitt

STATE OF Minnesota )  
 ) ss.  
COUNTY OF Ramsey )

On this 22 day of May, 2002, before me personally appeared Timothy J. Nevitt to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

  
Notary Public



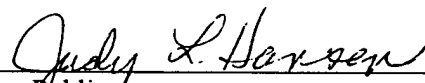
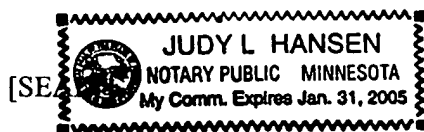
IN TESTIMONY WHEREOF, I have hereunto set my hand this 1st day of May, 2002.



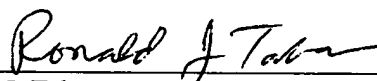
Andrew J. Ouderkirk

STATE OF Minnesota )  
 ) ss.  
COUNTY OF Ramsey )

On this 1st day of May, 2002, before me personally appeared Andrew J. Ouderkirk to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

  
Notary Public


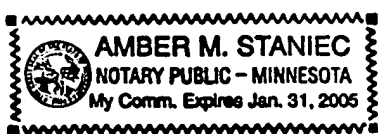
IN TESTIMONY WHEREOF, I have hereunto set my hand this 1 day of May, 2002

  
Ronald J. Tabar

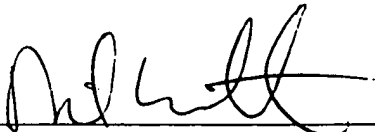
STATE OF Minnesota )  
 ) ss.  
COUNTY OF Ramsey )

On this 1 day of May, 2002, before me personally appeared Ronald J. Tabar to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

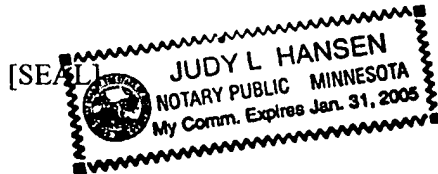
  
Notary Public

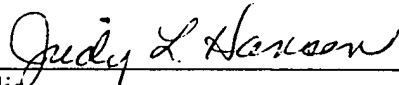
IN TESTIMONY WHEREOF, I have hereunto set my hand this 8<sup>th</sup> day of May, 2002

  
\_\_\_\_\_  
David L. Wortman

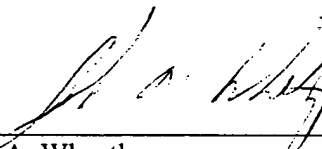
STATE OF Minnesota )  
 ) ss.  
COUNTY OF Ramsey )

On this 8<sup>th</sup> day of May, 2002, before me personally appeared David L. Wortman to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.



  
\_\_\_\_\_  
Notary Public

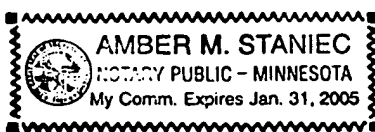
IN TESTIMONY WHEREOF, I have hereunto set my hand this 2 day of May, 2002

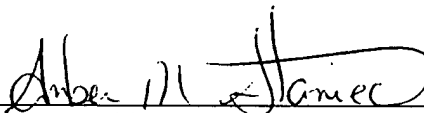
  
\_\_\_\_\_  
John A. Wheatley

STATE OF Minnesota )  
 ) ss.  
COUNTY OF Ramsey )

On this 2 day of May, 2002, before me personally appeared John A. Wheatley to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]



  
\_\_\_\_\_  
Notary Public



**ASSIGNMENT**

WHEREAS, we, Richard C. Allen, residing at 1013 Sibley Memorial Highway, Lilydale, Minnesota 55118, Sanford Cobb, Jr., residing at 2170 Itasca Avenue South, St. Marys Point, Minnesota 55043, Elisa M. Cross, residing at 1420 Donegal Drive, Woodbury, Minnesota 55125, Susan L. Kent, residing at 26050 Oak Leaf Trail, Shorewood, Minnesota 55331, Timothy J. Nevitt, residing at 28519 Flower Valley Trail, Red Wing, Minnesota 55066-5644, Andrew J. Ouderkirk, residing at 2996 Leyland View, Woodbury, Minnesota 55125, Ronald J. Tabar, residing at 1791 Highland Parkway, St. Paul, Minnesota 55116, David L. Wortman, residing at 8920 80th Street North, Stillwater, Minnesota 55082, and John A. Wheatley, residing at 8749 Lake Jane Trail, Lake Elmo, Minnesota 55042, made certain new and useful inventions and improvements for which we filed an application for Letters Patent of the United States on April 22, 1999, application Serial No. 09/298,003 which is entitled OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS.

AND WHEREAS, 3M Innovative Properties Company, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 3M Center, St. Paul, Minnesota 55144 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

Richard C. Allen

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Richard C. Allen to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

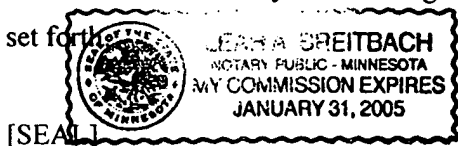
**Notary Public**

IN TESTIMONY WHEREOF, I have hereunto set my hand this 30th day of April, 2002.

Sanford Cobb, Jr.  
Sanford Cobb, Jr.

STATE OF Minnesota )  
COUNTY OF Washington ) ss.

On this 30th day of April, 2002, before me personally appeared Sanford Cobb, Jr. to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.



Leah A. Breitbach  
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Elisa M. Cross

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Elisa M. Cross to me known and known to me to be the person described in and who executed the foregoing instrument, and she duly acknowledged to me that she executed the same for the uses and purposes therein set forth.

[SEAL]

\_\_\_\_\_  
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Susan L. Kent

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally appeared Susan L. Kent to me known and known to me to be the person described in and who executed the foregoing instrument, and she duly acknowledged to me that she executed the same for the uses and purposes therein set forth.

[SEAL]

\_\_\_\_\_  
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Timothy J. Nevitt

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally appeared Timothy J. Nevitt to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

\_\_\_\_\_  
Notary Public

\_\_\_\_\_, 20\_\_\_\_.

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

**Notary Public**

\_\_\_\_\_, 20\_\_\_\_.

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

**Notary Public**

\_\_\_\_\_, 20\_\_\_\_.

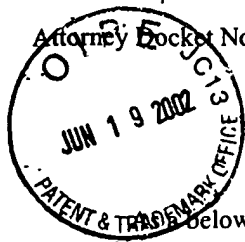
STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

Notary Public

\_\_\_\_\_, 20\_\_\_\_.

STATE OF \_\_\_\_\_ )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

**Notary Public**



MERCHANT & GOULD P.C.

United States Patent Application

**COMBINED DECLARATION AND POWER OF ATTORNEY**

**COPY OF PAPERS  
ORIGINALLY FILED**

I, the below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS**

The specification of which

- a. ☐ is attached hereto  
 b. ☒ was filed on April 22, 1999, as application serial no. 09/298,003, and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
 b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

RECEIVED  
JUN 28  
TECHNOLOGY CENT.

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Ali, M. Jeffer	Reg. No. 46,359	Leonard, Christopher J.	Reg. No. 41,940
Altera, Allan G.	Reg. No. 40,274	Liepa, Mara E.	Reg. No. 40,066
Anderson, Gregg I.	Reg. No. 28,828	Lindquist, Timothy A.	Reg. No. 40,701
Batzli, Brian H.	Reg. No. 32,960	Lown, Jean A.	Reg. No. 48,428
Beard, John L.	Reg. No. 27,612	McDonald, Daniel W.	Reg. No. 32,044
Berns, John M.	Reg. No. 43,496	McIntyre, Jr., William F.	Reg. No. 44,921
Branch, John W.	Reg. No. 41,633	Mueller, Douglas P.	Reg. No. 30,300
Brown, Jeffrey C.	Reg. No. 41,643	Nelson, Anna M.	Reg. No. 48,935
Bruess, Steven C.	Reg. No. 34,130	Parsons, Nancy J.	Reg. No. 40,364
Burnham, Jonelle	Reg. No. 41,980	Pauly, Daniel M.	Reg. No. 40,123
Byrne, Linda M.	Reg. No. 32,404	Phillips, John B.	Reg. No. 37,206
Campbell, Keith	Reg. No. 46,597	Pino, Mark J.	Reg. No. 43,858
Carlson, Alan G.	Reg. No. 25,959	Prendergast, Paul	Reg. No. 46,068
Caspers, Philip P.	Reg. No. 33,227	Pytel, Melissa J.	Reg. No. 41,512
Clifford, John A.	Reg. No. 30,247	Qualey, Terry	Reg. No. 25,148
Cook, Jeffrey	Reg. No. 48,649	Randall, Joshua N.	Reg. No. 50,719
Daignault, Ronald A.	Reg. No. 25,968	Reich, John C.	Reg. No. 37,703
Daley, Dennis R.	Reg. No. 34,994	Reiland, Earl D.	Reg. No. 25,767
Daulton, Julie R.	Reg. No. 36,414	Schmaltz, David G.	Reg. No. 39,828
DeVries Smith, Katherine M.	Reg. No. 42,157	Schuman, Mark D.	Reg. No. 31,197
DiPietro, Mark J.	Reg. No. 28,707	Schumann, Michael D.	Reg. No. 30,422
Doscotch, Matthew A.	Reg. No. 48,957	Scull, Timothy B.	Reg. No. 42,137
Edell, Robert T.	Reg. No. 20,187	Sebald, Gregory A.	Reg. No. 33,280
Epp Ryan, Sandra	Reg. No. 39,667	Skoog, Mark T.	Reg. No. 40,178
Fitzsimmons, Karen A.	Reg. No. 50,470	Spellman, Steven J.	Reg. No. 45,124
Goff, Jared S.	Reg. No. 44,716	Stewart, Alan R.	Reg. No. 47,974
Goggin, Matthew J.	Reg. No. 44,125	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Golla, Charles E.	Reg. No. 26,896	Sullivan, Timothy	Reg. No. 47,981
Gorman, Alan G.	Reg. No. 38,472	Sumner, John P.	Reg. No. 29,114
Gould, John D.	Reg. No. 18,223	Swenson, Erik G.	Reg. No. 45,147
Gregson, Richard	Reg. No. 41,804	Tellekson, David K.	Reg. No. 32,314
Gresens, John J.	Reg. No. 33,112	Trembath, Jon R.	Reg. No. 38,344
Hamer, Samuel A.	Reg. No. 46,754	Tunheim, Marcia A.	Reg. No. 42,189
Hamre, Curtis B.	Reg. No. 29,165	Underhill, Albert L.	Reg. No. 27,403
Hennings, Mark	Reg. No. 48,982	Vandenburgh, J. Derek	Reg. No. 32,179
Hertzberg, Brett A.	Reg. No. 42,660	Wahl, John R.	Reg. No. 33,044
Hillson, Randall A.	Reg. No. 31,838	Weaver, Paul L.	Reg. No. 48,640
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Jardine, John S.	Reg. No. 48,835	Wier, David D.	Reg. No. 48,229
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Johnston, Scott W.	Reg. No. 39,721	Withers, James D.	Reg. No. 40,376
Kadievitch, Natalie D.	Reg. No. 34,196	Wong, Bryan A.	Reg. No. 50,836
Kalinsky, Robert A.	Reg. No. 50,471	Wong, Thomas S.	Reg. No. 48,577
Kettelberger, Denise	Reg. No. 33,924	Young, Thomas	Reg. No. 25,796
Keys, Jeramie J.	Reg. No. 42,724	Zeuli, Anthony R.	Reg. No. 45,255
Knearl, Homer L.	Reg. No. 21,197		
Kowalchyk, Alan W.	Reg. No. 31,535	Buckingham, Stephen W.	Reg. No. 30,035
Kowalchyk, Katherine M.	Reg. No. 36,848	Griswold, Gary L.	Reg. No. 25,396
Lamberty, Michael	Reg. No. 50,760	Miller, William D.	Reg. No. 37,988
Lacy, Paul E.	Reg. No. 38,946		
Larson, James A.	Reg. No. 40,443		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

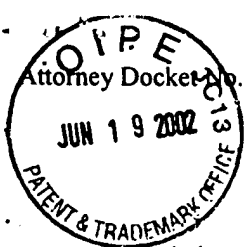
Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name ALLEN	First Given Name RICHARD	Second Given Name C.
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Signature of Inventor 209:			Date: 5-2-02	



Attorney Docket No. 7780.453US01

MERCHANT & GOULD P.C.

United States Patent Application

**COMBINED DECLARATION AND POWER OF ATTORNEY**

**COPY OF PAPERS  
ORIGINALLY FILED**

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **OPTICAL DEVICES USING REFLECTING POLARIZING MATERIALS**

The specification of which

- a. ☐ is attached hereto  
b. ☒ was filed on April 22, 1999, as application serial no. 09/298,003, and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application:

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney( d/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Ali, M. Jeffer	Reg. No. 46,359	Leonard, Christopher J.	Reg. No. 41,940
Altera, Allan G.	Reg. No. 40,274	Liepa, Mara E.	Reg. No. 40,066
Anderson, Gregg I.	Reg. No. 28,828	Lindquist, Timothy A.	Reg. No. 40,701
Batzli, Brian H.	Reg. No. 32,960	Lown, Jean A.	Reg. No. 48,428
Beard, John L.	Reg. No. 27,612	McDonald, Daniel W.	Reg. No. 32,044
Berns, John M.	Reg. No. 43,496	McIntyre, Jr., William F.	Reg. No. 44,921
Branch, John W.	Reg. No. 41,633	Mueller, Douglas P.	Reg. No. 30,300
Brown, Jeffrey C.	Reg. No. 41,643	Nelson, Anna M.	Reg. No. 48,935
Bruess, Steven C.	Reg. No. 34,130	Parsons, Nancy J.	Reg. No. 40,364
Burnham, Jonelle	Reg. No. 41,980	Pauly, Daniel M.	Reg. No. 40,123
Byrne, Linda M.	Reg. No. 32,404	Phillips, John B.	Reg. No. 37,206
Campbell, Keith	Reg. No. 46,597	Pino, Mark J.	Reg. No. 43,858
Carlson, Alan G.	Reg. No. 25,959	Prendergast, Paul	Reg. No. 46,068
Caspers, Philip P.	Reg. No. 33,227	Pytel, Melissa J.	Reg. No. 41,512
Clifford, John A.	Reg. No. 30,247	Qualey, Terry	Reg. No. 25,148
Cook, Jeffrey	Reg. No. 48,649	Randall, Joshua N.	Reg. No. 50,719
Daignault, Ronald A.	Reg. No. 25,968	Reich, John C.	Reg. No. 37,703
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DiPietro, Mark J.	Reg. No. 28,707	Schumann, Michael D.	Reg. No. 30,422
Doscotch, Matthew A.	Reg. No. 48,957	Scull, Timothy B.	Reg. No. 42,137
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Hope, Leonard J.	Reg. No. 44,774	Whipps, Brian	Reg. No. 43,261
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Jardine, John S.	Reg. No. 48,835	Wier, David D.	Reg. No. 48,229
Johns, Nicholas P.	Reg. No. 48,995	Williams, Douglas J.	Reg. No. 27,054
Johnston, Scott W.	Reg. No. 39,721	Withers, James D.	Reg. No. 40,376
Kadievitch, Natalie D.	Reg. No. 34,196	Wong, Bryan A.	Reg. No. 50,836
Kalinsky, Robert A.	Reg. No. 50,471	Wong, Thomas S.	Reg. No. 48,577
Kettelberger, Denise	Reg. No. 33,924	Young, Thomas	Reg. No. 25,796
Keys, Jeramie J.	Reg. No. 42,724	Zeuli, Anthony R.	Reg. No. 45,255
Knearl, Homer L.	Reg. No. 21,197		
Kowalchyk, Alan W.	Reg. No. 31,535		
Kowalchyk, Katherine M.	Reg. No. 36,848	Buckingham, Stephen W.	Reg. No. 30,035
Lamberty, Michael	Reg. No. 50,760	Griswold, Gary L.	Reg. No. 25,396
Lacy, Paul E.	Reg. No. 38,946	Miller, William D.	Reg. No. 37,988
Larson, James A.	Reg. No. 40,443		

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Minneapolis, MN 55402-0903



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2	Full Name Of Inventor	Family Name ALLEN	First Given Name RICHARD	Second Given Name C.
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<b>Signature of Inventor 209:</b>			<b>Date:</b>	